

**From:** Randy Hamilton  
**To:** 'microsoft.atr(a)usdoj.gov'  
**Date:** 1/23/02 7:30pm  
**Subject:** Microsoft Settlement

Hello,

I'd like to take this opportunity to express my dissatisfaction with the currently proposed Microsoft settlement. I feel it falls profoundly short of denying Microsoft the fruits of activities which were determined to be illegal, and does even less to prevent it from engaging in the same basic activities in the future. As for denying them the fruits of illegal activities, it would be a very arduous task to determine the full extent to which portion of their dominance in dozens of areas resulted from only illegal activities used to protect the Windows monopoly, much less what the ill-gotten gains are worth and how to deny them to Microsoft. As far as preventing illegal conduct in the future - I fully believe the only way to achieve that is no longer allow them to bundle \*anything\* in their operating system software beyond that which would be required for any other piece of software to communicate with the computer's hardware. That means no Internet Explorer, no MSN, no IM, no Office, no solitaire, no \*anything\* can be sold in the same package, license, or sale of the Windows operating system. If they want to sell all those other products, even ones which "integrate" themselves with the OS during installation - they must be sold, promoted, serviced, and priced separately. And that the API calls which the OS makes available for software to interact with it must be published publically, in such a manner that even Microsoft's own engineers and designers cannot retrieve ANY information concerning the current or future API calls from any other source than the one publically available to all other companies writing software designed to run on the Windows platform. And that any violation of that chain of information whatsoever be treated with the same severity as the illegal use of insider information.

I don't know if Microsoft can ever be denied the fruits of their illegal activities (short of forcing them to trade all their stock and cash reserves for all of Netscape's stock and cash reserves) - but it is vital to the present and future of technology that they no longer have the ability to sabotage the efforts of every other company by exploiting secret information of the current Windows API, and secret information about the future Windows API which will disable or destabilize current software. I can't begin to describe to you how incredibly frustrating it has been to deal with Microsoft's API sabotages of existing software over the last 10 years; not can I begin to imagine the amount of innovation and productivity which has been sacrificed by the companies forced to deal with acts instead.

If you can't make Microsoft give back what it has stolen from the technology industry with its illegal conduct, please at least find a settlement which forces Microsoft to compete on the \*legal\* marketing and technical merits of the products. We'll all be the better for it (even Microsoft itself).

Sincerely,  
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